

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**Case No. 8:03-CR-77-T-30TBM**

**HATEM NAJI FARIZ**

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**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE  
RESPONSES TO THE GOVERNMENT'S MOTIONS IN LIMINE NO. 1-4  
AND MEMORANDUM OF LAW IN SUPPORT**

Defendant, Hatem Naji Fariz, by and through undersigned counsel, and pursuant to Federal Rule of Criminal Procedure 45(b)(1)(A), respectfully requests three additional business days, or until Tuesday, May 10, 2005, to submit responses to the government's motions in limine No. 1-4. As grounds in support, Mr. Fariz states:

1. On April 21, 2005, the government filed four motions in limine regarding certain anticipated affirmative defenses and defenses. Mr. Fariz calculates the current deadline for responses to these motions as May 5, 2005 (not including three days for mailing, if applicable).

2. In the last few weeks, counsel for Mr. Fariz have spent significant amounts of time preparing and filing a number of motions in limine with respect to anticipated government argument and evidence, preparing and filing a motion for change of venue, reviewing and preparing transcripts that the parties may seek to use at trial, and otherwise continuing to prepare for trial.

3. Because of the number of issues and tasks that counsel for Mr. Fariz have had to address recently, counsel for Mr. Fariz respectfully requests three additional business days to complete the response to the government's motions. This additional time is necessary to ensure a complete yet succinct response to the issues raised in the government's motions.

4. Counsel for Mr. Fariz contacted Cherie L. Kringsman, Trial Attorney, U.S. Department of Justice, who indicated that the government does not oppose this motion.

#### **MEMORANDUM OF LAW**

The Court may "for good cause" extend time for filing responses based on a motion made "before the originally prescribed . . . time expires." Fed. R. Crim. P. 45(b)(1)(A). Mr. Fariz respectfully submits that given the number of issues and tasks that counsel have undertaken in recent days, good cause exists for this request for an extension. The additional time will allow counsel for Mr. Fariz to submit a complete response to the government's motions in limine for the Court's consideration.

WHEREFORE, Defendant Hatem Naji Fariz respectfully requests three additional business days, or until May 10, 2005, to file responses to the government's motions in limine no. 1-4.

Respectfully submitted,

R. FLETCHER PEACOCK  
FEDERAL PUBLIC DEFENDER

/s/ M. Allison Guagliardo  
M. Allison Guagliardo  
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Attorney for Defendant Fariz

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 5th day of May, 2005, a true and correct copy of the foregoing has been furnished by CM/ECF, to Walter Furr, Assistant United States Attorney; Terry Zitek, Assistant United States Attorney; Alexis L. Collins, Assistant United States Attorney; Cherie L. Krigsman, Trial Attorney, U.S. Department of Justice; William Moffitt and Linda Moreno, counsel for Sami Amin Al-Arian; Bruce Howie, counsel for Ghassan Ballut; and to Stephen N. Bernstein, counsel for Sameeh Hammoudeh.

/s/ M. Allison Guagliardo  
M. Allison Guagliardo  
Assistant Federal Public Defender